

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

DANIEL Z. MALDONADO,

Petitioner,

v.

RICK RAEMISCH, Secretary
Wisconsin Department of Corrections,

Respondent.

ORDER

10-cv-90-bbc

This case presents a petition for a writ of habeas corpus brought pursuant to 28 U.S.C. § 2254 challenging a probation revocation. On May 20, 2010, the court denied petitioner's motion to compel the discovery of his May 22, 2007 polygraph examination paper print-out graphs and the video recording of the polygraph. Now petitioner moves for reconsideration. The court is not persuaded that the video recording of the polygraph that petitioner continues to request is within in the possession of the Department of Correction.

In the alternative, petitioner seeks an evidentiary hearing in order that he may question probation agent Christopher Nicolet about the polygraph. Such a hearing is not warranted at this time.

Therefore, IT IS ORDERED that petitioner Daniel Z. Maldonado's motion for reconsideration, dkt. 19 is DENIED.

Entered this 8th day of June, 2010.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge